

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

In re: ) Case No. 12-48396-399  
JAMES M. WATFORD, SR., ) Honorable Barry S. Schermer  
Debtor. ) Chapter 7  
)  
) **MOTION TO COMPEL TURNOVER**  
)  
) Hearing Date: May 8, 2013  
) Hearing Time: 2:00 p.m.

**MOTION TO COMPEL TURNOVER**

COMES NOW David A. Sosne, duly appointed Chapter 7 Trustee herein, and for his Motion to Compel Turnover (“Motion”), respectfully states to this Honorable Court as follows:

1. This Court has jurisdiction over the subject matter of these proceedings pursuant to 28 U.S.C. §§ 1334, 151, and 157, and Local Rule 9.01 of the United States District Court, Eastern District of Missouri.
2. This is a “core” proceeding pursuant to 28 U.S.C. § 157(b)(2)(A), (E), and (O), which the Court may hear and determine.
3. David A. Sosne (“Trustee”) is the duly appointed and acting Chapter 7 Trustee in bankruptcy for the estate of James M. Watford, Sr. (“Debtor”).
4. On or about August 28, 2012, Debtor filed her Voluntary Petition for Relief pursuant to Chapter 7 of the United States Bankruptcy Code, which is presently pending in this judicial district as Case No. 12-48396-399.
5. Pursuant to 11 U.S.C. § 521, 11 U.S.C. § 542, and Rule 4002 of the Federal Rules of Bankruptcy Procedure, the Debtor is obligated to cooperate with the Trustee in the administration of the estate and to surrender to the Trustee all property of the estate, including assets, documents, papers, records, and information relating to the property of the estate.

6. Trustee brings this Motion requesting that this Court enter an Order directing the Debtor to turnover \$3,343.25, which is an amount equal to the estate's non-exempt pro rata share of Debtor's tax refunds and petition date bank account balance, within ten (10) days of the entry of said Order.

7. Trustee requested the foregoing by letter on March 12, 2013, March 26, 2013, March 29, 2013 and April 2, 2013.

8. At present, Debtor has not responded to the Trustee's requests.

WHEREFORE, the Trustee respectfully requests that this Honorable Court enter an Order compelling the Debtor to turnover \$3,343.25, which is an amount equal to the estate's non-exempt pro rata share of Debtor's tax refunds and petition date bank account balance, within ten (10) days the entry of said Order; and for any other and further relief as is proper.

Respectfully Submitted,  
SUMMERS COMPTON WELLS PC

Date: April 11, 2013

By: /s/ Brian J. LaFlamme  
Brian J. LaFlamme, (#49776MO)  
Attorney for Trustee  
8909 Ladue Road  
St. Louis, Missouri 63124  
(314)991-4999/(314)991-2413/FAX  
trusteeatty@summerscomptonwells.com

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served via electronic filing in the CM/ECF system of the United States Bankruptcy Court for the Eastern District of Missouri to the parties requesting service by electronic filing. I hereby also certify that a copy of the foregoing was served via United States Mail, first class postage prepaid, on the date of the electronic filing of this document to those individuals and entities not requesting service by electronic filing. The individuals and entities being served electronically or by mail are:

United States Trustee  
United States Department of Justice  
111 South Tenth Street, Suite 6353  
St. Louis, MO 63102

James C. Robinson  
Critique Services  
3919 Washington Blvd.  
St. Louis, MO 63108

James M. Watford, Sr.  
12470 Shoreside Dr.  
Florissant, MO 63033

Irwin Home / Green Tree  
12677 Alcosta Bv Suite 500  
San Ramon, CA 94583

Wells Fargo Home Mortgage  
8480 Stagecoach Circle  
Frederick, MD 21701

Date: April 11, 2013

/s/ Marquita Monroe